



Patent
Attorney's Docket No. 1017750-000378

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Max Amon

Application No.: 09/116,809

Filed: August 7, 1998

For: DUAL INFRARED BAND
OBJECTIVE LENS

) MAIL STOP: PETITION

) Group Art Unit: 3663

) Examiner: MARK HELLNER

) Confirmation No.: 2971 **RECEIVED**

OCT 12 2006

OFFICE OF PETITIONS

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNINTENTIONALLY UNDER 37 C.F.R. § 1.137(B)**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

The above-identified application became abandoned for failure to file a timely and proper reply to a Corrected Notice of Allowance and Fee(s) Due mailed on June 8, 2005 by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of September 8, 2005 as set forth in the Corrected Notice. A Notice of Abandonment in this case issued October 27, 2005. The present petition under 37 C.F.R. §1.137(b) is being filed in response to a September 29, 2006 decision on an earlier filed Petition under 37 C.F.R. §1.181.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION.

1. A check in the amount of \$1,500.00 is enclosed for the Petition fee (Fee Code 1453/2453).

2. A response to the Corrected Notice, which comprises a signed form PTO-85, is enclosed.

10/11/2006 RAB/MS/DP/PD/PITOL-
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3. Since this utility application was filed on or after June 8, 1995, no terminal disclaimer is required.

4. The Notice of Abandonment in this case was issued on October 27, 2005.
5. The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37. CFR 1.137(b) was unintentional. Based upon the undersigned's best knowledge and information, this statement is sufficient support for granting of this Petition in the present case.

If any issues remain, the Examiner is encouraged to telephone the undersigned at the below listed number.

This paper is submitted in duplicate.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PC



By:

Patrick C. Keane
Registration No. 32858

Date: October 6, 2006

P.O. Box 1404
Alexandria, VA 22313-1404
703 836 6620